IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 848 OF 2006

Shri Ramu Nagu Masal
and Anr. ....Appellants.

V/s

Shri Prakash Laxman Masal
and Ors. .....Respondents.

---

Mr. V.S. Talkute for appellants.
None for Respondents.

---

CORAM: V.M. KANADE, J.
DATE : 13th July, 2007

P.C.:

1. Heard the learned Counsel for appellants.

2. Appellants are challenging the judgment and decree passed by the Trial Court whereby suit filed by respondents for partition and separate possession was decreed and this order was confirmed by the Lower Appellate Court.

3. The learned Counsel appearing on behalf of appellants submitted that the finding recorded by both the Courts below in respect of property which was claimed to be the self acquired property is erroneous. He submitted that the Trial Court has not considered the material evidence on record and has recorded the said finding and the same error is committed by the Lower Appellate Court.

4. I have perused the orders passed by both the lower Courts below. There is a concurrent finding of fact that the property which is alleged to be the self acquired property has not been proved as self acquired property. No substantial question of law, therefore, is raised in this second appeal. Second appeal is dismissed.

(V. M. KANADE, J.)